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**U.S. District Court
Eastern District of New York (Central Islip)
CIVIL DOCKET FOR CASE #: 2:09-cv-05633-JFB-WDW**

Roman v. DARPA

Assigned to: Judge Joseph F. Bianco

Referred to: Magistrate Judge William D. Wall

Cause: 05:552 Freedom of Information Act

Date Filed: 12/23/2009

Date Terminated: 02/23/2012

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

Gilbert Roman

represented by **Gilbert Roman**

PO Box 170109

Ozone Park, NY 11417

516-458-9105

PRO SE

V.

Defendant

DARPA

represented by **Robert W. Schumacher , II**

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Date Filed	#	Docket Text
12/23/2009	1	COMPLAINT (<i>Receipt #NYEC002044</i>) against DARPA Disclosure Statement on Civil Cover Sheet completed -No,, filed by Gilbert Roman. (Attachments: # 1 Civil Cover Sheet) (Carine, Sandra) (Entered: 12/29/2009)
12/23/2009		Summons Issued as to DARPA, U.S. Attorney and U.S. Attorney General (Carine, Sandra) (Entered: 12/29/2009)
12/23/2009	2	Notice of Related Case (Carine, Sandra) (Entered: 12/29/2009)
12/29/2009	3	LETTER dated 12/29/09 from Catherine Vukovich, Pro Se Paralegal, to Gilbert Roman Re: This will acknowledge receipt of your Civil Complaint. The case has been docketed under the above number and assigned to the Honorable Joseph F. Bianco. (Coleman, Laurie) Modified on 12/30/2009 (Coleman, Laurie). (Entered: 12/30/2009)
12/29/2009	4	LETTER dated 12/29/09 from Catherine Vukovich, Pro Se Paralegal to Mr. Roman Re: Pursuant to Rule 4 of the Federal Rules of Civil Procedure, as the plaintiff in the above entitled action, you are responsible to serve the summons and complaint upon each of the defendants in the action, or in the alternative, use the waiver of service of summons. You have have 120 days from the date you filed your complaint to complete service of the summons and complaint and to file the proof of service with this Court. (Coleman, Laurie) (Entered: 12/30/2009)
01/04/2010		Case Ineligible for Arbitration (Bollbach, Jean) (Entered: 01/04/2010)
01/15/2010	5	MOTION to Produce by Gilbert Roman. (Bollbach, Jean) (Entered: 01/20/2010)
01/15/2010	6	CERTIFICATE OF SERVICE by Gilbert Roman- copy of receipt of mailing to Mr. Wric Holder; DARPA and Robert Kambic (Bollbach, Jean) (Entered: 01/25/2010)
02/01/2010	7	Letter MOTION for Extension of Time to File Answer or otherwise move from February 8, 2010 to April 9, 2010 by DARPA. (Attachments: # 1 Affidavit of Service) (Schumacher, Robert) (Entered: 02/01/2010)

02/02/2010		ORDER granting 7 Motion for Extension of Time to Answer DARPA answer due 4/9/2010. The defendant shall serve a copy of this electronic order on the plaintiff upon receipt. Ordered by Magistrate Judge William D. Wall on 2/2/2010. (Hepworth, F.) (Entered: 02/02/2010)
02/02/2010	8	AFFIDAVIT of Service for Order extending defendant's time to answer to 04/09/10 served on Plaintiff on February 2, 2010, filed by DARPA. (Schumacher, Robert) (Entered: 02/02/2010)
03/24/2010	9	NOTICE of Change of plaintiffs address to PO Box 170109 Ozone Park, NY 11417 by Gilbert Roman (Attachments: # 1 new evidence) (Bollbach, Jean) (Entered: 03/25/2010)
04/09/2010	1 0	Letter MOTION for pre motion conference by DARPA. (Schumacher, Robert) (Entered: 04/09/2010)
05/07/2010	1 1	ORDER - It is hereby Ordered that the pre-motion conference requirement is waived. The parties shall adhere to the following briefing schedule for defendant's motion for summary judgment: Motion: 6/7/10; Opposition: 7/9/10; Reply: 7/23/10. Signed by Judge Joseph F. Bianco on 5/7/10. C/M to pro se. (Coleman, Laurie) (Entered: 05/12/2010)
06/07/2010	1 2	Notice of MOTION for Summary Judgment by DARPA. (Schumacher, Robert) (Entered: 06/07/2010)
06/07/2010	1 3	RULE 56.1 STATEMENT re 12 Notice of MOTION for Summary Judgment filed by DARPA. (Schumacher, Robert) (Entered: 06/07/2010)
06/07/2010	1 4	AFFIDAVIT/DECLARATION in Support re 12 Notice of MOTION for Summary Judgment (<i>DECLARATION OF WILLIAM T. KAMMER</i>) filed by DARPA. (Schumacher, Robert) (Entered: 06/07/2010)
06/07/2010	1 5	NOTICE by DARPA re 12 Notice of MOTION for Summary Judgment (<i>RULE 56.2 NOTICE TO PRO SE LITIGANT WHO OPPOSES MOTION FOR SUMMARY JUDGMENT</i>) (Attachments: # 1 RULE 56) (Schumacher, Robert) (Entered: 06/07/2010)
06/07/2010	1 6	MEMORANDUM in Support re 12 Notice of MOTION for Summary Judgment (<i>MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT DEFENSE ADVANCED RESEARCH PROJECTS AGENCY'S MOTION FOR SUMMARY JUDGMENT PURSUANT TO FED.R.CIV.P.56</i>) filed by DARPA. (Schumacher, Robert) (Entered: 06/07/2010)

06/23/2010	1 7	PLAINTIFF'S STATEMENT OF UNDISPUTED FACTS 12 Notice of MOTION for Summary Judgment. (Attachments: # 1 Continued Part 2, # 2 Continued Part 3, # 3 Continued Part 4. Compact Disc with transcript of State Court Proceedings in People v. Prospect, Ind No. 2153-04 annexed to Rule 56.1 Statement for filing in Court file) (Coleman, Laurie) (Entered: 06/24/2010)
07/13/2010	1 8	REPLY in Support re 12 Notice of MOTION for Summary Judgment filed by DARPA. (Attachments: # 1 Certificate of Service) (Schumacher, Robert) (Entered: 07/13/2010)
09/02/2010		ORDER terminating 5 Motion to Produce. This document was incorrectly docketed as a motion. Instead, the Court construes this as plaintiff's opposition to defendant's motion for summary judgment. SO ORDERED. Ordered by Judge Joseph F. Bianco on 9/2/2010. (Weisgerber, Erica) (Entered: 09/02/2010)
09/07/2010	1 9	Letter dtd. 9/4/10 from plaintiff to court RE: illegal activities are going on in out intelligence community. (Bollbach, Jean) (Entered: 09/09/2010)
12/22/2010	2 0	ORDER, (Telephone Conference set for 1/4/2011 01:00 PM in Courtroom 920 before Judge Joseph F. Bianco. Defts to initiate the call). Ordered by Judge Joseph F. Bianco on 12/22/2010. (Bollbach, Jean)copy mailed by chambers (Entered: 12/22/2010)
01/03/2011	2 1	Consent MOTION to Adjourn Conference (<i>Telephone</i>) Scheduled for January 4, 2011 at 1 pm by DARPA. (Kambic, Robert) (Entered: 01/03/2011)
01/04/2011	2 2	ORDER granting 36 Motion to Adjourn Conference. New telephone conf. date is 1/12/11 at 1:00. Counsel for defts shall initiate the call.. Ordered by Judge Joseph F. Bianco on 1/4/2011. (Bollbach, Jean)copy mailed by chambers (Entered: 01/06/2011)
01/11/2011	2 3	ORDER, (Telephone Conference reset for 1/19/2011 01:00 PM in Courtroom 920 defts to initiate the call before Judge Joseph F. Bianco.). Ordered by Judge Joseph F. Bianco on 1/11/2011. (Bollbach, Jean)copy mailed by chambers (Entered: 01/18/2011)
01/19/2011	2 4	Minute Entry for proceedings held before Judge Joseph F. Bianco:Telephone pre motion Conference held on 1/19/2011 Motion to be filed by 3/18/11; response by 5/20/11; reply 6/6/11. Govt ordered to file supplemental affidavits and file renewed motion for summary judgment by 3/18/11 (Court Reporter ftr 1:16 - 1:28.) (Bollbach, Jean) Modified on 1/19/2011 (Bollbach, Jean). (Entered: 01/19/2011)

01/25/2011	2 5	ORDER terminating as moot 31 Motion for Summary Judgment. Renewed motions for summary judgment shall be filed by 3/18/11; plaintiffs response to those motions shall be due by 5/20/11 and defts reply due by 6/6/11.. Ordered by Judge Joseph F. Bianco on 1/25/2011. (Bollbach, Jean)copy mailed by chambers (Entered: 01/26/2011)
03/16/2011	2 6	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modified Court's January 25, 2011 Briefing Schedule</i> by DARPA. (Kambic, Robert) (Entered: 03/16/2011)
03/18/2011	2 7	Notice of MOTION for Summary Judgment by DARPA. (Schumacher, Robert) (Entered: 03/18/2011)
03/18/2011	2 8	AFFIDAVIT/DECLARATION in Support re 27 Notice of MOTION for Summary Judgment <i>DECLARATION OF WILLIAM T. KAMMER WITH ATTACHED EXHIBITS</i> filed by DARPA. (Schumacher, Robert) (Entered: 03/18/2011)
03/18/2011	2 9	AFFIDAVIT/DECLARATION in Support re 27 Notice of MOTION for Summary Judgment <i>DECLARATION OF PATRICIA A. ROHRKEMPER</i> filed by DARPA. (Schumacher, Robert) (Entered: 03/18/2011)
03/18/2011	3 0	RULE 56.1 STATEMENT re 27 Notice of MOTION for Summary Judgment filed by DARPA. (Schumacher, Robert) (Entered: 03/18/2011)
03/18/2011	3 1	NOTICE by DARPA re 27 Notice of MOTION for Summary Judgment (<i>RULE 56.2 NOTICE TO PRO SE LITIGANT WHO OPPOSES MOTION FOR SUMMARY JUDGMENT WITH ATTACHED RULE 56</i>) (Attachments: # 1 Exhibit) (Schumacher, Robert) (Entered: 03/18/2011)
03/18/2011	3 2	MEMORANDUM in Support re 27 Notice of MOTION for Summary Judgment (<i>MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT DEFENSE ADVANCED RESEARCH PROJECTS AGENCY'S MOTION FOR SUMMARY JUDGMENT PURSUANT TO FED.R.CIV.P.56</i>) filed by DARPA. (Schumacher, Robert) (Entered: 03/18/2011)
03/18/2011	3 3	ORDER granting 50 Motion for Extension of Time to File. The court so orders modifications to the briefing schedule as set forth in defts letter.. Ordered by Judge Joseph F. Bianco on 3/18/2011. (Bollbach, Jean) (Entered: 03/23/2011)
04/06/2011	3 4	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modified Court's March 18, 2011 Briefing Schedule</i> by DARPA. (Kambic, Robert) (Entered: 04/06/2011)

04/11/2011	<u>3</u> <u>5</u>	ORDER granting <u>34</u> Motion for Extension of Time to File. It is hereby ordered that defendants' extension request is granted and the Court "so orders" the revised briefing schedule set forth in defendants' 4/6/2011 letter. Ordered by Judge Joseph F. Bianco on 4/11/2011. (Padilla, Kristin) (Entered: 04/14/2011)
04/13/2011	<u>3</u> <u>6</u>	REPLY in Opposition re <u>27</u> Notice of MOTION for Summary Judgment filed by Gilbert Roman. (Padilla, Kristin) (Entered: 04/18/2011)
04/26/2011	<u>3</u> <u>7</u>	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modified Court's April 11, 2011 Briefing Schedule</i> by DARPA. (Kambic, Robert) (Entered: 04/26/2011)
04/27/2011	<u>3</u> <u>8</u>	ORDERED that defts request is granted and the court adopts the revised briefing schedule set forth in defts' April 26, 2011 letter. Ordered by Judge Joseph F. Bianco on 4/27/2011. (Bollbach, Jean)copy mailed by chambers (Entered: 04/28/2011)
05/16/2011	<u>3</u> <u>9</u>	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modified Court's April 27, 2011 Briefing Schedule</i> by DARPA. (Kambic, Robert) (Entered: 05/16/2011)
05/17/2011	<u>4</u> <u>0</u>	Notice of Related Case. (Russo, Eric) (Entered: 05/18/2011)
06/07/2011	<u>4</u> <u>1</u>	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modified Court's May 17, 2011 Briefing Schedule</i> by DARPA. (Kambic, Robert) (Entered: 06/07/2011)
06/09/2011	<u>4</u> <u>2</u>	ORDER granting <u>41</u> Motion for Extension of Time to File. IT IS HEREBY ORDERED that defts' extension request is granted and the Court "so orders" the revised briefing schedule set forth in defts' June 6, 2011 letter. Copy mailed to Pro Se Plaintiff by chambers. Ordered by Judge Joseph F. Bianco on 6/9/2011. (Glueckert, Lisa) (Entered: 06/10/2011)
06/29/2011	<u>4</u> <u>3</u>	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modified Court's June 9, 2011 Briefing Schedule</i> by DARPA. (Kambic, Robert) (Entered: 06/29/2011)
07/01/2011	<u>4</u> <u>4</u>	ORDER granting <u>43</u> Motion for Extension of Time to File. IT IS HEREBY ORDERED that defts' extension request is granted and the Court "so orders" the revised briefing schedule set forth in defendants' June 29,2011 letter. Copies mailed by Chambers. Ordered by Judge Joseph F. Bianco on 7/1/2011. (Glueckert, Lisa) (Entered: 07/05/2011)

07/18/2011	4 5	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modify Court's July 1, 2011 Briefing Schedule</i> by DARPA. (Kambic, Robert) (Entered: 07/18/2011)
08/12/2011	4 6	Consent MOTION for Extension of Time to File <i>Defendant's Dispositive Motion and to Modify Court's July 19, 2011 Briefing Schedule</i> by DARPA. (Kambic, Robert) (Entered: 08/12/2011)
08/16/2011		ORDER granting 46 Motion for Extension of Time to File. The Court has received defendants' letter dated August 12, 2011. IT IS HEREBY ORDERED that the Court "so orders" the revised briefing schedule proposed by defendants in the August 12 letter. SO ORDERED. Ordered by Judge Joseph F. Bianco on 8/16/2011. (Nagiel, Svetlana) (Entered: 08/16/2011)
11/09/2011	4 7	Consent MOTION for Extension of Time to File <i>Response in Support of Dispositive Motion</i> by DARPA. (Kambic, Robert) (Entered: 11/09/2011)
11/10/2011	4 8	ORDER granting 64 Motion for Extension of Time to File: reply in each case shall be due 11/18/11. Ordered by Judge Joseph F. Bianco on 11/10/2011. (Bollbach, Jean) ORDER granting 37 Motion for Extension of Time to File; granting 39 Motion for Extension of Time to File; denying 45 Motion for Extension of Time to File; granting 47 Motion for Extension of Time to File (Entered: 11/10/2011)
11/18/2011	4 9	REPLY in Support re 31 Notice(Other) with <i>Certificate of Service (Reply in Further Support of DARPA's Motion For Summary Judgment)</i> filed by DARPA. (Kambic, Robert) (Entered: 11/18/2011)
12/08/2011	5 0	Notice of Related Case (McMahon, Carol) (Entered: 12/08/2011)
02/22/2012	5 1	ORDER granting 27 Motion for Summary Judgment. IT IS HEREBY ORDERED that, for the reasons set forth in the attached Memorandum and Order, defendants' motion for summary judgment is granted. Each defendant performed reasonable and adequate searches in full compliance with the Freedom of Information Act ("FOIA"), and, where a defendant withheld a document pursuant to a FOIA exemption, it did so properly. The Court has mailed a copy of the opinion to the plaintiff. SO ORDERED. Ordered by Judge Joseph F. Bianco on 2/22/2012. (Weber, Rebecca) (Entered: 02/22/2012)
02/23/2012	5 2	JUDGMENT: ordered and adjudged that plaintiff take nothing of defts; that defts are granted summary judgment; and case is hereby closed. (Bollbach, Jean) (Entered: 02/24/2012)

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